

**Senate Select Committee on Prison Safety  
Monday, March 11, 2019 at 1:00 PM  
Room 643 of the Legislative Office Building**

**MINUTES**

The Senate Select Committee on Prison Safety met at 1:00 PM on March 11, 2019 in Room 643 of the Legislative Office Building. Members present were Senators Jim Burgin, Tom McInnis, Ralph Hise, Kathy Harrington, Norman Sanderson, Terry Van Duyn, Floyd McKissick, and Harper Peterson.

Staff members present were Ed Stiles (Committee Assistant), and Committee Counsels Susan Sitze, Shawn Middlebrooks, and John Poteat from Fiscal Research.

Senator Bob Steinburg, Chair, presided.

Senator Steinburg welcomed members, staff, and guests. He also thanked Sergeants at Arms Dwight Green and John Enloe for their service and assistance.

The chair recognized Mr. John Poteat from Fiscal Research, who gave an overview of the structure of prisons within the Department of Public Safety. The first part of the presentation, which was an adult correction overview. In that overview, Mr. Poteat talked about the budget for adult corrections, the four regions of North Carolina between which the prisons are divided. The second part of the presentation were the prison population drivers, the state population versus the prison population, projected populations and capacity, and the administrative costs. The third part, custody and security issues, dealt with the breakdown of the FY 2019-20 budget requirements, cost of bedding and food service, pay and overtime statistics, and average salary based on custody level. The fourth part, prison security and remissioning, dealt with the complexity of the correction officer's job, mental health population, disciplinary infractions, recent legislative action, security upgrades, and prison remissioning. The fifth and final part of the presentation was recent budget issues and actions. This included a breakdown of major budget items in FY 2017-19, adult corrections lapsed salary usage, custody overtime budget history, and a breakdown of major lapsed salary expenditures.

Senator Steinburg then opened the floor for member comments.

Senator Burgin asked how long the state of North Carolina had been operating prisons in 12-hour shifts. Mr. Kenneth Lassiter, Director of Prisons, stated that the prisons had been operating on the 12-hour shifts since the early 2000, following a pilot program of two facilities launched in 1999. Senator Burgin followed up by asking how many corrections officers were lost after the half-way point of 90 of 180 days of basic training. Mr. Lassiter responded by stating that he did not have the numbers pertaining to the first 90 days, but stated the largest losses are within the 18-24 month window.

Senator McKissick asked what additional material the corrections officer trainees are being exposed to with the increase of training hours, and what were the minimum requirements for being

a corrections officer. Mr. Lassiter stated the minimum requirements were a high school diploma or equivalency, being 20 years of age, and able to pass a background check. He also stated the people with a military or prior law enforcement background are brought in as a Class II or Class III Corrections Officer based on experience. With respect to the question about training, Mr. Lassiter stated that training included areas of rehabilitation, viewing potential dangers, deescalating of crises, and self-defense methods. Senator McKissick followed up by asking what outreach is being done to recruit corrections officers. Mr. Lassiter stated that his department's human resources division have reach out to military personnel stationed in North Carolina, to law enforcement training personnel at the community colleges, as well as local county commissioners. On a third follow up, Senator McKissick asked about mental health assistance for new inmates. Mr. Poteat answered by clarifying that 18.2% of inmates receiving mental health services are those that are classified as those needing services, ranging from outpatient to inpatient services. Mr. Lassiter stated that the Department of Corrections are the de facto mental provider for the prison system.

Senator McInnis asked about the overtime issue, stating that it is paid not in cash, but in comp time. Once a corrections officer works past 171 hours, he or she is paid time and a half. For Lieutenants and Captains, the pay is in comp time. For Sergeants and below, the pay out is monetary. Senator McInnis followed up by asking about contraband issues, asking what other items besides cell phones are considered contraband. Mr. Poteat stated that mail was a large conduit for contraband, leading the inmate to be allowed copies of what came in the mail as opposed to the original.

Senator Van Duyn asked if the legislature was receiving good information as to why corrections officers were leaving their positions. Mr. Lassiter stated that there is a whole host of reasons for people, the foremost reason is safety. He went on to state that the biggest problem is the high rate of vacancy.

Senator Hise asked how much vacation time was rolled over for sick leave, and what has been identified as problems with the job. Mr. Lassiter stated that exit interviews were being done, and other round table discussions were being done were trying to be find out why people were leaving. Mr. Lassiter went on to state that veteran officers were leaving because after time, they were essentially making the same amount of pay as someone who is just arriving into the system.

Senator Steinburg asked Mr. Lassiter asked if there is a way to see if there is a pattern from the exit interviews. Mr. Lassiter stated that the Department would be able to provide that information. Senator Steinburg stated that he would like to see the number of exit surveys versus the number of actual people leaving.

Senator Burgin asked about the breakdown of male versus female hires as corrections officers. Mr. Lassiter stated that while he did not have the percentages, he could state that the top two categories of new hires were white females and African-American females, respectively.

Senator Van Duyn asked about potential changes in uniforms to make the corrections officers safer, such as not requiring ties. Mr. Lassiter stated that the ties are breakaway, meaning that if one

wearing a tie was safe since the tie was a breakaway tie. Correction Enterprises will be coming out with a different weight of uniforms allowing more comfort for the corrections officer.

Senator McKissick asked about the salary compression issue, wondering if any research has been done to incentivize the corrections officers to stay with their jobs. Senator Steinburg stated that is one issue that the committee will be looked at, as well as the recruitment issue. Mr. Lassiter stated that intensive research has been done, further stating that the problem is taking place in other states.

Senator Hise asked about hiring being done on a regional basis, and asked if local facilities could make their own hiring decisions. Mr. Lassiter stated that regional hiring stopped on January 1, 2019, and that all 55 prisons are interviewing and hiring at their own prisons, except for the higher ranking officers, which are hired within the region.

Senator Steinburg opened the floor to public comment.

Mr. Art Beeler, a retired officer with the Federal Bureau of Prisons, stated if the number of needed corrections officers were based on the square footage of a prison, the number of officers hired at full capacity would not enough to satisfy the square footage requirement. Mr. Beeler stated that there were 1100 post release supervision violations.

Mr. Stanley Drewry, Past President of the State Employees Association, states that something is wrong when a Captain of 15 years makes the same level of compensation as a newly promoted Captain. He also encouraged the Senators to visit a facility to see what exactly what the corrections officers go through.

Mr. Paul Wright from Dare County, also a former Georgia and North Carolina inmate, stated that his post release was revoked without cause. He stated that he was offered a job as an outreach worker of the Department of Juvenile Justice, stating that his life was testimony of rehabilitation. He also stated that there needed to be a greater understanding of what the corrections officers go through around the inmates.

Mr. John Schwade, a retired prison psychologist, stated that the idea of self-reporting in terms of mental health is a problem. He also stated that there needs to be better screening of intellectual disabilities.

Ms. Artis Watkins, with the State Employee Association of North Carolina, stated that not many states are doing what we are doing in looking at conditions related to corrections officers. She talked about the report that SEANC released on January 31<sup>st</sup> entitled *From the Inside: A SEANC Examination of NC Correctional Issues*, and encouraged all of the committee members to look at it. The SEANC report is attached on the committee website under handouts.

Mr. Randy Byrd of the Police Benevolent Association stated his appreciation for the committee being formed, and thanked the members for their participation.

Senator Hise asked if there was a likelihood about visits to correctional facilities. Senator Steinburg stated that was in the plan.

Senator Steinburg stated his appreciation to the Senators who attended, the speakers, and stated there was a lot of work to be done in the next seven weeks.

Senator Steinburg announced that the next meeting would take place on March 18<sup>th</sup>, 2019 at 2:00 p.m.

The meeting adjourned at 2:49 p.m.

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Senator Bob Steinburg, Chair  
Presiding

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Edward Stiles, Committee Clerk